

REMARKS

Reexamination and reconsideration of the rejections are hereby requested.

First of all, the inventor, René Robert, and the undersigned attorney wish to thank Examiner Weisberger for according them a telephone interview of sufficient length to explore all of the issues concerning this patent application. At the outset of the telephone interview, Mr. Robert briefly described the background leading to the present invention. Mr. Robert further explained that an aspect of the present invention involves giving users access in real-time to securities data that originates from a plurality of sources. The Examiner asked the inventor many questions concerning the development of the invention and the inventor's understanding of the language in each of the clauses in claim 1. For example, the Examiner asked the inventor for his understanding of the term "real-time". The inventor responded that some data comes into the system in a continuous fashion and some data in batches, for example, once a day. In each case, the data is displayed to users in real-time. This aspect of the invention is described in the specification on page 3 beginning at line 24. The Examiner's attention is also directed to the specification at page 4 beginning at line 5 that states that the market information is displayed "virtually instantaneously, with real-time updating."

The Examiner also asked the inventor for his understanding of the controller means limitation in the claim. The Examiner's attention is directed to the specification at page 10 beginning at line 7 that discusses the role of the controller means. The Examiner also indicated that with respect to clause (C) he ignored the language after the "wherein" clause. The undersigned attorney acknowledged the ambiguity in this section and indicated that he would claim it in a positive way.

The Examiner suggested that the applicant might consider, in order to move prosecution forward, limiting the claim to the over-the-counter or fixed income securities markets. The Examiner also suggested that prosecution could be advanced if limitation (A) included disseminating or displaying the data in real-time.

The pending claims stand rejected under 35 U.S.C § 102(a) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over the Capital Access news release. Two principal points were made during the interview with respect to the Capital Access release. First of all, it is quite clear that data is derived from a single source. The press release states in paragraph 4 that “The data is derived from the Capital Access FINCOM database...”. Second, the news release indicates that “New data, consisting of the most recent transaction information, is added quarterly.” Therefore, Capital Access teaches deriving data from a single source and that data is updated quarterly. Therefore, this references teaches away from the use of multiple sources and real-time display of information.

In response to the telephone interview, the independent claims have been amended herein. In particular, claim 1 has been amended to add the limitation “over-the-counter” in describing the securities market data. The storage means limitation has been amended to include displaying the market data and the data terminal means has been amended to positively recite that the data terminal means enables a user to review simultaneously securities market data for a single security or a bond obtained from the query that originates from a plurality of the multiple sources. Independent claims 17, 25 and 26 have been similarly amended. New claim 27 is based on claim 1 but limits the securities market data to fixed income market data.

The foregoing amendments are fully supported by the specification as filed. With respect to the “displaying” addition to the storage means limitation, support may be found at page 4, line 6. With respect to the “over-the-counter” limitation support may be found in the specification at page 2 line 10. Finally, with respect to the “fixed income” limitation in new claim 27, support is found on page 9 of the specification at line 12.

To summarize, the claims have been amended following the Examiner’s suggestions and his indication that such amendments would likely advance prosecution. Further, it is quite clear that the pending claims are not anticipated by, nor rendered obvious over, the Capital Access article in which data is displayed from a single source in contrast to the pending claims that require data to be displayed from a plurality of multiple sources.

It is submitted that the application, as amended herein, is in condition for allowance and early favorable action is requested.

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Respectfully submitted,
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A handwritten signature in cursive script, appearing to read "Sam Pasternack", is written over a horizontal line.

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